

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR AND ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE REGULATION
Before the Commissioner of Financial and Insurance Regulation

**Office of Financial and Insurance Regulation,
Petitioner**

v

Enforcement Case No. 09-7187

**Helmer Risk Management, LLC
and
Scott Helmer,
Respondents**

For the Petitioner:

**Elizabeth Bolden
Office of Financial and Insurance Regulation
P.O. Box 30220
Lansing, MI 48909-7720**

For the Respondent:

**Scott Helmer
20343 N. Hayden Road, Suite 105
Scottsdale, AZ 95255-3876**

**Issued and entered
this 5th day of February 2010
by Ken Ross
Commissioner**

FINAL DECISION

I. Background

On November 9, 2009, Chief Deputy Commissioner Stephen R. Hilker issued an Administrative Complaint, Notice of Opportunity to Show Compliance, and Order for Hearing in this case which was sent to Respondents at the address above. The Administrative Complaint set forth detailed allegations that Respondents had failed to comply with section 249(a) of the Michigan Insurance Code, MCL 500.249(a).

The Order for Hearing required Respondents to take one of the following actions within 21 days: agree to a resolution of the case, file an answer to the allegations stated in the Order with a statement that Respondents plan to attend the hearing, or request an adjournment. Respondents failed to take any of these actions.

On January 13, 2010, the Petitioner filed a Motion for Final Decision. Given Respondents' failure to take one of the required actions, Petitioner's motion is granted.

II. Findings of Fact and Conclusions of Law

1. Helmer Risk Management, LLC is an Arizona limited liability company. The company holds an insurance agency license (System ID No. 0079975) to transact the business of insurance in the State of Michigan.
2. Scott Helmer is an Arizona resident who is a managing member of Helmer Risk Management, LLC and serves as its resident agent and designated licensed producer. Mr. Helmer holds a non-resident insurance producer license (System ID No. 0416872) to transact the business of insurance in the State of Michigan.
3. Section 249(a) of the Michigan Insurance Code, MCL 500.249(a), authorizes the Commissioner of Financial and Insurance Regulation to initiate proceedings to examine the records of the agency's licensees.
4. In November 2008, the Office of Financial and Insurance Regulation (OFIR) received information that Respondents had failed to remit premium payments to the insurer AIG.
5. On January 21, 2009, OFIR staff sent a letter to Respondents requesting them to provide, within 21 days, information regarding that matter. Respondents failed to respond to the inquiry.
6. On March 4, 2009, a second request was sent to Respondents, who failed to reply.
7. Respondents' conduct as described above demonstrates that Respondents have failed to comply with Section 249(a) of the Code.

III. Order

Based on the conduct described above and in accordance with section 1239 of the Michigan Insurance Code it is ORDERED that:

1. The insurance agency license of Helmer Risk Management, LLC is revoked; and
2. The nonresident insurance producer license of Scott Helmer is revoked.



Ken Ross
Commissioner